

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. <i>Kevin McNulty</i>
	:	
v.	:	Crim. No. 20- <i>94</i>
	:	
NESTOR CHARRIEZ	:	18 U.S.C. § 1343

I N F O R M A T I O N

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:

a. Defendant NESTOR CHARRIEZ (“CHARRIEZ”) was a resident of New Jersey and an employee of a New Jersey-based publication company (“Company-1”). CHARRIEZ’s responsibilities at Company-1 included overseeing and managing employee payroll.

b. Company-1 used an outside payroll company (“Company-2”) to process its payroll.

The Scheme to Defraud

2. From in or around 2002 through on or about June 17, 2019, in Hudson County, in the District of New Jersey and elsewhere, the defendant,

NESTOR CHARRIEZ,

did knowingly and intentionally devise and intend to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and

fraudulent pretenses, representations, and promises, which scheme and artifice was in substance as set forth below.

Goal of the Scheme

3. The goal of the scheme and artifice to defraud was for CHARRIEZ to misappropriate Company-1's funds by way of unauthorized payroll payments to himself.

Manner and Means of the Scheme

4. It was part of the scheme to defraud that CHARRIEZ repeatedly provided Company-2 with materially false payroll information instructing that CHARRIEZ be paid sums of money that Company-1 had not authorized, totaling more than approximately \$48,000,000 over a 17-year period. These unauthorized sums were deposited into bank accounts controlled by CHARRIEZ. CHARRIEZ then used the stolen funds for his own personal expenditures.

Execution of the Scheme

5. On or about May 6, 2019, in the District of New Jersey and elsewhere, for the purpose of executing and attempting to execute this scheme and artifice to defraud, the defendant,

NESTOR CHARRIEZ,

did knowingly and intentionally transmit and cause to be transmitted by means of wire communications in interstate and foreign commerce writings, signs, signals, pictures, and sounds, namely, an electronic wire transfer of approximately \$132,435 that CHARRIEZ had misappropriated from Company-

1 to a bank account controlled by CHARRIEZ.

In violation of Title 18, United States Code, Section 1343.

FORFEITURE ALLEGATION

1. The allegations contained in this Information are incorporated by reference as though set forth in full herein for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981 and Title 28, United States Code, Section 2461.

2. As a result of committing the offense charged in this Information, the defendant,

NESTOR CHARRIEZ,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981 and Title 28, United States Code, Section 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the said offense, and all property traceable thereto, including, but not limited to, approximately \$48,000,000, representing proceeds of the offense charged in this Information.

Substitute Assets Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.



CRAIG CARPENITO
United States Attorney

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INFORMATION FOR

18 U.S.C. § 1343

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